

SIOUX CITY POLICE DEPARTMENT INCIDENT REPORT INCIDENT # 90 036423
 2/04/94 14:05:22 PAGE 1
 110 FONDLING-FORCIBLE STATUS EXC
 TIME OF M 08 D 06 Y 90 T 1300 REPORTED D 8/14/90 TU DIST/GRID 470
 OCCURRENCE M 08 D 07 Y 90 T 1300 T 1240 LOC CODE 00
 SPEC RPT
 OFFENSE STATUTE A S LOC UNIT WEAPONS SUS-USE OFFENSE
 110 709 00 000 FONDLING-FORCIBLE
 LOCATION 1812 JACKSON ST
 OCC DHS CU HRS PH 712 255 2688
 OFC P 00574 RICHARD A SAUNDERS DIV ASSIGNED INVEST
 CD C 10 000
 SOC [REDACTED] RAC SEX HS JU DOB AGE HGT WGT EYE HAI RES
 HUGHES, MARY A W F [REDACTED] 000 000 000
 507 07TH ST S13 INJ REL 000 000
 SIOUX CITY IA PRSNT CHILD
 PHONE 712 255 2638
 CD S NO 002
 SOC [REDACTED] RAC SEX HS JU DOB AGE HGT WGT EYE HAI RES
 KERR, CHARLES A [REDACTED] 060 000 000
 RR 1 BOX 48 INJ REL 000 000
 SERGEANT BLUFF IA PRSNT CHILD
 PHONE 712 948 3249
 CD U NO 001
 SOC [REDACTED] RAC SEX HS JU DOB AGE HGT WGT EYE HAI RES
 KERR, CONSUELO C A W F J [REDACTED] 005 000 000
 RR 1 BOX 64 INJ REL 000 000
 SERGEANT BLUFF IA PRSNT CHILD
 PROPERTY NO 001 CD E EVIDENCE
 CDE/TYPE QTY UM SIZE COLOR MODEL BRAND STYLE
 26 TAPE 1.000 EA
 SER MATL COND
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 PROPERTY NO 002 CD E EVIDENCE
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 SEZ 000 OWN 000
 INCIDENT NOTES
 FATHER SEXUALLY ABUSED SIX YEAR OLD DAUGHTER DURING A 081490
 SUPERVISED VISIT AT CATHOLIC CHARITIES. 081490
 INVESTIGATIONS
 ASSIGNED 8/15/90 DIV INV INVESTIGATOR 2235 DOUGLAS A YOUNG
 0/00/00
 DATE REFERRED 10/04/90 ATTORNEY ASN

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INCIDENT REPORT

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DATE CLEARED 0/00/00

DATE MADE INACTIVE 0/00/00

SUPPLEMENTAL_REPORT_INDEX_____

NO. OFFICER

DATE TIME

DOCUMENT

01 00574 RICHARD A SAUNDERS

8/14/90 2224

PG19N01596

02 02235 DOUGLAS A YOUNG

10/02/90 2058

PG19N05084

END OF REPORT

NOT RESPONSIBLE FOR REDISSEMINATION

CIS/SCPD

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 PD19ND1596 900814 TEXT01 COPS000019
 Officer Saunders. Complaint #90-036423. Offense: Sexual Abuse.
 Location: 1812 Jackson Street, Catholic Charities.
 Consuelo Catherine Abbey Kern goes by C.C., DOB [REDACTED], R.R. 1 Box
 64, Sgt. Bluff, Iowa, - 6 year old Victim.
 Charles A. Kern, DOB [REDACTED], age 60, SSN [REDACTED], R.R. 1 Box
 48, Sgt. Bluff, Iowa, phone #948-3249 - Father and Suspect.
 Josefina Kern, DOB [REDACTED], R.R. 1 Box 64, Sgt. Bluff, Iowa, phone
 #943-5915 - Mother of the Victim.
 Mary A. Hughes, DOB [REDACTED], SSN [REDACTED], 507 7th Street - Room
 #613, phone #255-2688 - Complainant and Investigator for Department
 of Human Services.
 Catholic Charities, 1812 Jackson - Place where Incident Took Place.
 On 08-14-90 at approximately 1240 hours I was dispatched to 507 7th
 Street, 6th floor, Room #613 to see Mary Hughes in reference to a
 sexual abuse. Upon arrival I spoke with the investigator. She
 advised me that she had young girl who would be 6 on [REDACTED] that
 had been sexually abused by her father and apparently this has going
 on sometime and they have got them separated at this time. She
 stated the weird thing about it is that happened at the Catholic
 Charities at 1812 Jackson Street during a supervised visit by the
 father. I asked when it did happen and she said it would have either
 happened on Monday the 6th of Tuesday the 7th. She did not know the
 exact time. She is trying to confirm that, but it is one of the two
 hour visits that the father was allowed. Approximately 1300 hours
 they felt that it was in the afternoon.
 Asked what took place and she stated that she had C.C. Kern which is
 the victim in and spoke with her in reference to it and apparently
 the father had went to a supervised visit at Catholic Charities and
 while doing so she had a dress on and the father picked her up and
 put her on his lap and then while they were playing monopoly he stuck
 his fingers up her vagina. That is what she had told the investiga-
 tor. Apparently this young girl has been sexually abused twice
 before by her father and that is why they have them separated at this
 time.
 She states she spoke with the supervisor on call or was there during
 the supervised visit and he felt that it could have happened because
 the child was sitting on the father's lap and did have a dress on and
 he did not watch that closely. He did not feel that it would happen.
 She wanted to report it. Also she wanted noted that the mother a
 Josefina Kern was a masseuse and that was the occupation of the
 mother. Did want a copy of this made up and referred to Sgt.
 Suncides in reference to the complaint. She stated that she would
 wait to hear from Suncides in reference to follow up further on this
 incident, but she had had the child in and the child did tell her

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that and also she showed with a doll what the father had did.
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 P019N05084 901002 TEXT01 COP0000019
 Sgt. Young, Complaint #90-036423, Offense: Indecent Contact.
 Location: 1812 Jackson.
 Complainant: Mary A. Hughes, investigator for Department of Human Services, 507 7th Street - Room 613, phone 255-2688.
 Consuello C. A. Kern (C.C.), white female, DOB [REDACTED], R R 1 Box 64, Sgt. Bluff, Iowa, phone 943-5915 - Juvenile Victim.
 Josefina M. Kern, DOB [REDACTED], R R 1 Box 64, Sgt. Bluff, Iowa, phone 943-5915, SSN [REDACTED] - Parent Interviewed.
 H. Ed Hunt, 1812 Jackson, family therapist at Catholic Charities, phone 252-4547 - Interviewed.
 Bryan Kern, R R 1 Box 64, Sgt. Bluff, Iowa, phone 943-5915 - Interviewed.
 Charles A. Kern, white male, DOB [REDACTED], Bronson, Iowa, SSN [REDACTED], phone 948-3249 - Suspect.

On 08-14-90 at approximately 1240 hours Mary Hughes made a complaint with this department reference the possible sexual abuse of Consuello Kern by her father Charles Kern during a supervised visit at Catholic Charities. During the taking of the initial report an exact date of the occurrence could not be determined, but apparently her father has supervised visitation at Catholic Charities; that this visit is supervised by a therapist by the name of Ed Hunt and that apparently she had been abused twice during these supervised visit and also the reason for the supervised visits was because of the fact the girl had complained of being sexually abuse by her father in the past. It seems that the family is separated from the father, Charles Kern, at this time.

An interview was conducted by Katie F. Boley at Marian Health on 08-16-90. This officer was not present during that interview, but I did receive a copy of the taped interview which has been placed into Property and also a transcript of the interview which will accompany this report. In reviewing the transcript of the interview, C.C. used dolls to show her sitting on her dad's lap. She made the statement that dad put his hand here indicating with the dolls on the upper thigh and moving the hand of the male doll toward the bottom as C.C. calls it of the C.C. doll. She indicated that this has happened more than once and that one incident happened during a supervised visit in Ed Hunt's room. She went on to say that it not only happened there, but it also happened at an ice cream place on the same day. During her description with the anatomically correct dolls as I stated she put the male on the Charles doll hand on the thigh of the C.C. doll and moved it in a back and forth manner on the inner thigh. She went on to discuss how her dad used to tickle her in the private places. Katie Boley did have her describe the private places and C.C. indicates that her bottom is a private place. She always make reference to her bottom during this interview and C.C. explained that her

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bottom is also her vagina, but that her bottom encompasses the whole area not just the vagina itself, but also the inner thigh as well as the buttocks. During the interview with Katie Foley she indicated that his hand was very close to her vagina, but that his hand did not actually touch her vagina, but rather was on her inner thigh. I then began conducting interviews with people that would have information in regards to this incident. I also might add that I did not interview Charles Kern reference this incident. I was informed by Mary Hughes that Charles Kern is a rather arrogant person and made statements to the effect that he will touch his children where ever he feels regardless of whether they like it or not. Also he did have an attorney present during this conversation with Mary Hughes. Therefore because of Charles Kern's arrogance as it seems and the fact that he does have an attorney present I thought not be of any benefit to this officer to waste my time with Charles Kern, but I am sure that if the statements were made to Mary Hughes as she indicated that they probably are documented and very well could show his intent.

On 08-27-90 at 1634 hours I spoke with Josefina reference this incident. The interview was taped. The tape has been placed in Property. I did speak with Josefina alone. Bryon and C.C. were waiting in an adjacent room. According to Josefina she was married to Charles Kern in December of 1983; that they were separated in July of 1987 and finally divorced in 1988. The reason for the divorce was financial problems and also the fact that he directed frustrations toward the family. She indicated that he never really even assaulted her, but he just had a way of verbal abuse.

We discussed the first incidents where Charles Kern supposedly abused C.C. and that would have occurred in Bronson, Iowa, in 1988. That this incident I believe has been referred to the County Attorney's Office, but no disposition has been made as of yet. That this occurred before the divorce, but that it was during the time that they were separated and that he had visitation. According to Josefina she indicated that she noticed some type of finger marks on the bottom of C.C. and asked her what happened. C.C. made the statement that she couldn't tell her because it was a secret. Josefina then took C.C. to the hospital and in the hospital she told her (Josefina) that dad had touched her vagina. Also C.C. had made other statements to Josefina about Charles tickling her in the vaginal area.

The second incident occurred on March 25, 1989. Charles picked up the children and took them to his trailer in Bronson. Approximately 2 weeks later C.C. told her mother what happened. She said that dad had touched her again; that she had been in the bathroom, dad came in and touched her, but she didn't elaborate on the incident. According to Josefina these particular incidents were founded by DHS. As a result of the incident being founded by DHS this is when they decided to have supervised visitation and that there has been 2 supervised visits since April of 1989 both here in Sioux City and at Catholic Charities.

It seems that after the second session C.C. wanted to talk with Mr. Hunt who is the therapist and that she became very upset because no

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one would listen to her. It was then decided by Josefina and Ed Hunt that they should tape record a statement made by C.C. and that this statement would be furnished to Mr. Hunt when he had time to listen to it. C.C. indicated that there were two things wrong: (1) that her mother keeps yelling at her and (2) that she does not like what her dad does to her; that she tells him to stop, but he doesn't. She went on to say that dad was touching her in front of Mr. Hunt. At that point that seemed to be all that Josefina has knowledge of concerning C.C. being abused in the presence of Mr. Ed Hunt. I then spoke with C.C. reference this incident. She indicated that she was touched at Catholic Charities; that Ed Hunt was present along with Bryan and her father; that she was sitting on her dad's lap. Her brother was in the next row of seats. She indicated that her father talked about getting his knee replaced and that when the incident occurred Ed Hunt did not see what was happening. She stated that she had a dress on at which time she demonstrated to me what had taken place. She sat with her legs crossed in the chair. From my vantage point I could visibly see into her dress and I could see her underwear on the front part of her body. She then stated that he put his hands on her vagina and moved the fingers back and forth. That he did this the whole time that Ed Hunt was there. I asked her if it hurt or did it feel like anything at all and she indicated no that it did not hurt. I asked her how she feels about her father and she indicates that she does like her dad, but she does not like what he does to her. I inquired whether he stuck anything in her and she indicated that he did not and again as I indicated earlier she referred to this whole area as her bottom, but during her demonstration as to what he did she definitely had her hand over her vagina and partially on her inner thigh of what would be the right leg. This also was taped on the same tape and is in Property as evidence. At 1704 hours I met with Bryan. All interviews took place individually. Bryan indicated that his father came in and that C.C. was sitting on his father's lap. Bryan estimated that he was approximately 7-8' away and that he saw dad's hand up under her skirt and that his hand was moving, but he does not know exactly where his hand was at. Whether it was on her thigh, inner thigh or vaginal area. He said during the time that he saw this his dad was talking to Ed; that they were in Ed's office for approximately 1-15 minutes and that after they left he didn't see anything else happen. On 08-31-90 at approximately 10:00 a.m. I met with Ed Hunt at his office at 1812 Jackson. He indicated to me that he thought that the incident that she is describing occurred on July 25 and that C.C. did not tell anyone until after the second visit, so at this point it does appear according to Ed Hunt's records that the incident in question did occur on July 25, 1990; that the second visit took place on July 31, 1990 and that nothing occurred during that visit. In looking at the interview room where this incident took place it is roughly a 12x10 room containing 6 chairs and a desk and it is what I would consider very close quarters. Ed indicated that he was sitting at his desk. His desk faces a northerly direction. He would have to turn to a southerly direction to talk with Charles. Charles would be behind him and that Bryan's position was somewhat at the northwest end of the room. Ed indicated that he did notice Charles' hand up under the right thigh of C.C. He thought about saying something, but

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didn't. He indicated that he was approximately 6' away facing Charles and Bryan; that Charles never left the presence of Ed Hunt and that all were engaged in talk with each other. He did verify that they were for approximately 15 minutes and went to Coney Island where C.C. again sat on her father's lap. This Coney Island would be more than likely the ice cream store that C.C. referred to in her conversation with Katie Boley. I believe it is Ed Hunt's understanding that also the same thing occurred at Coney Island, but Ed Hunt did not see anything happen as he did in his office.
It is very evident from speaking with C.C. that she is very uncomfortable with Charles placing his hand in the manner that he had. More than likely this is as a result of a past experience with Charles and that she was feeling that something like that could occur again, but she is definitely uncomfortable with the placing of his hand on her inner thigh. The only discrepancy I have here is that when she showed me what had taken place her hand was not only on the inner thigh, but also partially on her vagina, but in Katie Boley's interview there is no doubt that she was clear on the fact that his hand was on her inner thigh. Also Ed Hunt as well as Bryan indicate that the hand was up under the dress in a manner which could corroborate what C.C. was saying.
It does not appear that any other sexual act took place other than the placing of his hand on her inner thigh and it is very evident that if statements made to Mary Hughes are true that he has a blatant disregard for the privacy of his children and seems just to want to satisfy himself.
As a result of the statements made by C.C. who I find very credible and corroborating statements made by Ed Hunt and Bryan, I will be forwarding this information to the County Attorney's Office requesting a warrant charging Charles with indecent contact.
END OF REPORT
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